

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3628

IN THE MATTER OF:

Served March 15, 1991

Application of ROSETTA D. MURRAY	)	Case No. AP-91-07
Trading as MURRAY'S NON-EMERGENCY	)	
TRANSPORT SERVICE for Temporary	)	
Authority	)	

By application filed February 14, 1991, Rosetta D. Murray trading as Murray's Non-Emergency Transport Service (Murray's) seeks temporary authority to transport passengers in irregular route operations between points in the Metropolitan District for the account of the United States Department of Veterans Affairs (VA).

Order No. 3609, served February 19, 1991, generally described the evidence submitted with the application, and that order is incorporated herein by reference. VA's contract administrator filed a detailed affidavit of support attesting to the immediacy of VA's need for service and reasons therefor. Order No. 3609 served as publication of notice and directed that protests, if any, be filed in accordance with Commission Rule No. 14 no later than Friday, March 1, 1991. No protest was filed.

Title II, Article XI, Section 13 of the Compact provides that the Commission may grant an application for temporary authority, without a hearing or other proceeding, if it finds that there is an immediate need for the service proposed by the application and that no other carrier service is available to meet that need. Fitness of the applicant is also required. See Application of Suburban Transit Company for Temporary Authority to Serve the Capital Centre, Order No. 1643, served January 24, 1977; Application of American Coach Lines, Inc., for Declaratory Order or, in the Alternative, Temporary Authority to Conduct Charter Operations Between Points in the Metropolitan District, Order No. 2738, served July 22, 1985. See also Order Nos. 2440, 2448, 2864, and 3221, served July 22, 1983; August 10, 1983; May 23, 1986; and August 23, 1988, respectively.

Inasmuch as no duly authorized carrier protested this application, thereby indicating its ability, willingness, and availability to provide the service proposed by applicant, the Commission finds that no other carrier is capable of meeting the need for the proposed service. It is further found, based on the evidence of record as described in Order No. 3609 and this order, that there is an immediate need for the service described in this application and that applicant is fit to provide that service.

THEREFORE, IT IS ORDERED:

1. That Rosetta D. Murray trading as Murray's Non-Emergency Transport Service is hereby conditionally granted a maximum of 180 days temporary authority, contingent upon timely compliance with the terms of this order, to transport passengers in irregular route operations between points in the Metropolitan District for the account of the United States Department of Veterans Affairs.

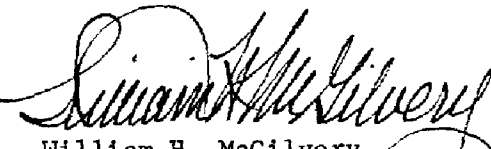
2. That Rosetta D. Murray trading as Murray's Non-Emergency Transport Service is hereby directed, no later than 30 days from the service date of this order, to (a) identify her vehicles in accordance with Commission Regulation No. 61; (b) file an affidavit of compliance with Commission Regulation No. 61; (c) file three copies of her WMATC Contract Tariff No. 1 with cover sheet pursuant to Commission Regulation No. 55; (d) file an equipment list stating make, model, serial number, vehicle number (if any), seating capacity, and license plate number (with jurisdiction) for all vehicles to be used in revenue operations for the account of the United States Department of Veterans Affairs; (e) file evidence of ownership or lease(s), as appropriate, for all vehicles to be used in revenue operations for the account of the United States Department of Veterans Affairs; and (f) file a certificate of insurance in conformance with Commission Regulation No. 58 covering all vehicles to be used in revenue operations for the account of the United States Department of Veterans Affairs, unless such certificate is already on file.

3. That the Executive Director shall notify Rosetta D. Murray trading as Murray's Non-Emergency Transport Service, in writing, upon her timely compliance with the requirements of this order, that she may commence operations pursuant to temporary authority.

4. That the temporary authority granted herein shall expire Friday, September 13, 1991, unless otherwise ordered by the Commission.

5. That unless Rosetta D. Murray trading as Murray's Non-Emergency Transport Service complies with the requirements of this order within 30 days from date of issuance or such additional time as the Commission may direct or allow, the grant of authority contained herein shall be void, and this application shall stand denied in its entirety, effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:

  
William H. McGilvery  
Executive Director